

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 2528

IN THE MATTER OF:

Served February 21, 1984

Application of P.G. PRODUCTION CO.,)  
INC., for Special Authorization to )  
Perform Charter Operations Pursuant)  
to Contract with Marlow Heights/ )  
Hampton Mall Commuter Club )

Case No. CP-84-01

By application filed February 14, 1984, P.G. Production Co., Inc., seeks authorization to conduct charter operations pursuant to WMATC Special Certificate of Public Convenience and Necessity No. 1 under a contract with the Marlow Heights/Hampton Mall Commuter Club, transporting members of the club between Temple Hills Baptist Church and Hampton Mall, both in Prince George's County, Md., on the one hand, and, on the other, the Parklawn Building, 5600 Fishers Lane, Rockville, Md.

The contract provides that it is to be effective from August 1, 1983, for a period of one year. Regulation No. 70-05 states, in pertinent part, that "[a]ll contracts . . . filed pursuant to this regulation shall be for fixed terms of not less than 181 days." This application was filed on February 14, 1984, less than 181 days from the July 31, 1984, contract termination date.

Because less than 181 days remain on this contract, the Executive Director is unable to determine that this application meets the requirements of Regulation No. 70 and, accordingly, must deny the application.

Applicant may seek reconsideration of this determination from the Commission pursuant to Regulation No. 70-08, and such application for reconsideration may include an amended contract with a qualifying period.\*/  
period.\*/

Having disposed of this application on the basis of the term of the contract, it has not been necessary to deal with the remaining issue of applicant's fitness. It is noted, however, that the effective date of the contract, August 1, 1983, raises the issue of whether

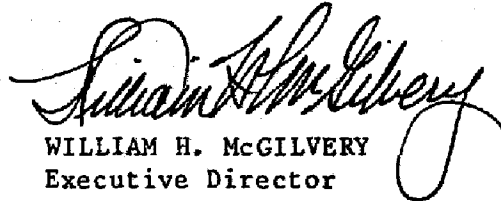
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\*/ See Order No. 2054, served October 30, 1979, in Case No. CP-79-01, the first application processed under Regulation No. 70.

applicant has performed or is continuing to perform the proposed service without authority. The application is conspicuously silent on this matter. Applicant is advised that if it intends to seek reconsideration from the Commission of the determination made in this order, the Commission will also need to be satisfied of applicant's compliance fitness. Moreover, applicant should supplement its filing with a recent balance sheet and a certificate of insurance which fully complies with Commission Regulation No. 62.

THEREFORE, IT IS ORDERED that the application of P.G. Production Co., Inc., in Case No. CP-84-01, is hereby denied.

FOR THE COMMISSION:



WILLIAM H. MCGILVERY  
Executive Director